

# House File 2400 - Introduced

HOUSE FILE 2400  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 586)

## A BILL FOR

1 An Act relating to the policy administration of election and  
2 voter registration laws by the secretary of state, including  
3 changes to the definition of a general election, the voter  
4 registration age, absentee voting, the provision of training  
5 space for election personnel, the candidate nomination  
6 filing requirements for merged area, school district, and  
7 city elections, the filling of vacancies in city office,  
8 and authorizing certain cities to conduct city elections by  
9 absentee ballot, and including effective date provisions.  
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 39.3, subsection 7, Code 2011, is amended  
2 to read as follows:

3 7. "*General election*" means the biennial election for  
4 national or state officers, members of Congress and of the  
5 general assembly, county and township officers, and for the  
6 choice of other officers or the decision of questions as  
7 provided by law and, where applicable, includes the regular  
8 city election described in section 376.1.

9 Sec. 2. Section 44.4, subsection 1, Code 2011, is amended  
10 to read as follows:

11 1. Nominations made pursuant to this chapter and chapter  
12 45 which are required to be filed in the office of the state  
13 commissioner shall be filed in that office not more than  
14 ninety-nine days nor later than 5:00 p.m. on the eighty-first  
15 day before the date of the general election to be held in  
16 November. Nominations made for a special election called  
17 pursuant to section 69.14 shall be filed by 5:00 p.m. not less  
18 than twenty-five days before the date of an election called  
19 upon at least forty days' notice and not less than fourteen  
20 days before the date of an election called upon at least  
21 eighteen days' notice. Nominations made for a special election  
22 called pursuant to section 69.14A shall be filed by 5:00 p.m.  
23 not less than twenty-five days before the date of the election.  
24 Nominations made pursuant to this chapter and chapter 45 which  
25 are required to be filed in the office of the commissioner  
26 shall be filed in that office not more than ninety-two days  
27 nor later than 5:00 p.m. on the sixty-ninth day before the  
28 date of the general election. Nominations made pursuant to  
29 this chapter or chapter 45 for city office shall be filed not  
30 more than seventy-two days nor later than 5:00 p.m. on the  
31 forty-seventh day before the city election with the ~~city clerk~~  
32 county commissioner of elections responsible under section 47.2  
33 for conducting elections held for the city, who shall process  
34 them as provided by law.

35 Sec. 3. Section 44.4, subsection 2, paragraph a,

1 subparagraphs (2) and (3), Code 2011, are amended to read as  
2 follows:

3     (2) Those filed with the commissioner, not less than  
4 sixty-four days before the date of the election, except as  
5 provided in subparagraph (3).

6     (3) Those filed with the ~~city clerk~~ commissioner for an  
7 elective city office, at least forty-two days before the  
8 regularly scheduled or special city election. However, for  
9 those cities that may be required to hold a primary election,  
10 at least sixty-three days before the regularly scheduled or  
11 special city election.

12     Sec. 4. Section 44.7, Code 2011, is amended to read as  
13 follows:

14     **44.7 Hearing before commissioner.**

15     ~~Objections~~ Except as otherwise provided in section 44.8,  
16 objections filed with the commissioner shall be considered by  
17 the county auditor, county treasurer, and county attorney, and  
18 a majority decision shall be final; but if the objection is to  
19 the certificate of nomination of one or more of the above named  
20 county officers, the officer or officers objected to shall not  
21 pass upon the objection, but their places shall be filled,  
22 respectively, by the chairperson of the board of supervisors,  
23 the sheriff, and the county recorder.

24     Sec. 5. Section 44.8, Code 2011, is amended to read as  
25 follows:

26     **44.8 Hearing before mayor.**

27     1. Objections filed with the ~~city clerk~~ commissioner for  
28 an elective city office shall be considered by the mayor and  
29 clerk and one member of the council chosen by the council by  
30 ballot, and a majority decision shall be final; but if the  
31 objection is to the certificate of nomination of either of  
32 those city officials, that official shall not pass upon ~~said~~  
33 the objection, but the official's place shall be filled by a  
34 member of the council against whom no such objection exists,  
35 chosen as above provided.

1     2. The hearing shall be held within twenty-four hours of the  
2 receipt of the objection if a primary election must be held for  
3 the office sought by the candidate against whom the objection  
4 has been filed.

5     Sec. 6. Section 44.9, subsections 2, 3, 5, and 6, Code 2011,  
6 are amended to read as follows:

7     2. In the office of the proper commissioner, at least  
8 sixty-four days before the date of the election, except as  
9 otherwise provided in subsections 3, 5, and 6.

10    3. In the office of the proper ~~school board secretary~~  
11 commissioner, at least thirty-five days before the day of a  
12 regularly scheduled school election.

13    5. In the office of the proper commissioner ~~or school board~~  
14 ~~secretary~~ in case of a special election to fill vacancies in an  
15 elective school board office, at least twenty-five days before  
16 the day of election.

17    6. In the office of the proper ~~city clerk~~ commissioner, at  
18 least forty-two days before the regularly scheduled or special  
19 city election. However, for those cities that may be required  
20 to hold a primary election, at least sixty-three days before a  
21 regularly scheduled or special city election.

22    Sec. 7. Section 44.11, Code 2011, is amended to read as  
23 follows:

24     **44.11 Vacancies filled.**

25     If a candidate named under this chapter withdraws before the  
26 deadline established in section 44.9, declines a nomination,  
27 or dies before election day, or if a certificate of nomination  
28 is held insufficient or inoperative by the officer with whom  
29 it is required to be filed, or in case any objection made  
30 to a certificate of nomination, or to the eligibility of any  
31 candidate named in the certificate, is sustained by the board  
32 appointed to determine such questions, the vacancy or vacancies  
33 may be filled by the convention, or caucus, or in such manner  
34 as such convention or caucus has previously provided. The  
35 vacancy or vacancies shall be filled not less than seventy-four

1 days before the election in the case of nominations required to  
2 be filed with the state commissioner, not less than sixty-four  
3 days before the election in the case of nominations required  
4 to be filed with the commissioner, not less than thirty-five  
5 days before the election in the case of nominations required  
6 to be filed in with the office of the school board secretary  
7 commissioner for school board elections, and not less than  
8 forty-two days before the election in the case of nominations  
9 required to be filed with the ~~city clerk~~ commissioner for city  
10 elections.

11 Sec. 8. Section 48A.5, subsection 2, paragraph c, Code 2011,  
12 is amended to read as follows:

13 c. Be at least eighteen years of age. Completed  
14 registration forms shall be accepted from registrants who  
15 are at least seventeen ~~and one-half~~ years of age; ~~however~~.  
16 However, the registration shall not be effective until the  
17 registrant reaches the age of eighteen. The commissioner of  
18 registration shall ensure that the birth date shown on the  
19 registration form is at least seventeen ~~and one-half~~ years  
20 earlier than the date the registration is processed. A  
21 registrant who is at least seventeen ~~and one-half~~ years of age  
22 and who will be eighteen by the date of a pending election is  
23 a registered voter for the pending election for purposes of  
24 chapter 53.

25 Sec. 9. Section 48A.14, subsection 1, paragraph b, Code  
26 2011, is amended to read as follows:

27 b. The challenged registrant is less than seventeen ~~and~~  
28 ~~one-half~~ years of age.

29 Sec. 10. Section 48A.23, subsection 1, Code 2011, is amended  
30 to read as follows:

31 1. At least twice during each school year, the board of  
32 directors of each school district operating a high school and  
33 the authorities in charge of each accredited nonpublic school  
34 shall offer the opportunity to register to vote to each student  
35 who is at least seventeen ~~and one-half~~ years of age.

1     Sec. 11. Section 48A.26, subsection 9, Code 2011, is amended  
2 to read as follows:

3     9. When a person who is at least seventeen ~~and one-half~~  
4 years of age but less than eighteen years of age registers  
5 to vote, the commissioner shall maintain a record of the  
6 registration so as to clearly indicate that it will not take  
7 effect until the registrant's eighteenth birthday and that the  
8 person is registered and qualifies to vote at any election held  
9 on or after that date.

10    Sec. 12. Section 48A.31, Code 2011, is amended to read as  
11 follows:

12     **48A.31 Deceased persons record.**

13     The state registrar of vital statistics shall transmit  
14 or cause to be transmitted to the state registrar of voters,  
15 once each calendar quarter, a certified list of all persons  
16 seventeen ~~and one-half~~ years of age and older in the state  
17 whose deaths have been reported to the bureau of vital records  
18 of the Iowa department of public health since the previous list  
19 of decedents was certified to the state registrar of voters.  
20 The list shall be submitted according to the specifications  
21 of the state registrar of voters. The commissioner shall, in  
22 the month following the end of a calendar quarter, run the  
23 statewide voter registration system's matching program to  
24 determine whether a listed decedent was registered to vote in  
25 the county and shall immediately cancel the registration of any  
26 person named on the list of decedents.

27    Sec. 13. Section 49.21, subsection 2, paragraph a, Code  
28 2011, is amended to read as follows:

29     a. Upon the application of the commissioner, the authority  
30 which has control of any buildings or grounds supported by  
31 taxation under the laws of this state shall make available the  
32 necessary space therein for the purpose of holding elections,  
33 without charge for the use thereof. For a period of thirty  
34 days prior to each scheduled election, and upon the application  
35 of the commissioner, the authority shall also make such

1 buildings or grounds available for training courses related  
2 to the election and offered by the commissioner for precinct  
3 election officials and other election personnel. Training  
4 courses scheduled and conducted pursuant to this paragraph  
5 shall not interfere with previously scheduled events at any  
6 such buildings or grounds.

7     Sec. 14. Section 53.8, subsection 1, Code 2011, is amended  
8 to read as follows:

9     1. Upon receipt of an application for an absentee ballot  
10 meeting the requirements of section 53.2 and immediately after  
11 the absentee ballots are printed but in no case sooner than  
12 the fiftieth day before any election for an absentee ballot  
13 to be mailed to a location within the United States, the  
14 commissioner shall mail an absentee ballot to the applicant  
15 within twenty-four hours, except as otherwise provided in  
16 subsection 3. The absentee ballot shall be enclosed in an  
17 unsealed envelope bearing a serial number and affidavit. The  
18 absentee ballot and unsealed envelope shall be enclosed in or  
19 with a return envelope marked postage paid which bears the same  
20 serial number as the unsealed envelope. The absentee ballot,  
21 unsealed envelope, and return envelope shall be enclosed in  
22 a third envelope to be sent to the registered voter. If the  
23 ballot cannot be folded so that all of the votes cast on the  
24 ballot will be hidden, the commissioner shall also enclose a  
25 secrecy envelope with the absentee ballot.

26     Sec. 15. Section 53.10, subsection 1, Code 2011, is amended  
27 to read as follows:

28     1. Not more than forty days before the date of the primary  
29 election or the general election, the commissioner shall  
30 provide facilities for absentee voting in person at the  
31 commissioner's office. This service shall also be provided for  
32 other elections as soon as the ballots are ready, but in no  
33 case shall absentee ballots be available for absentee voting in  
34 person more than forty days before an election.

35     Sec. 16. Section 53.11, subsection 1, paragraph a, Code

1 2011, is amended to read as follows:

2     a. Satellite absentee voting stations may be established  
3 no sooner than the fortieth day before an election throughout  
4 the cities and county at the direction of the commissioner  
5 and shall be established upon the commissioner's receipt  
6 of a petition signed by not less than one hundred eligible  
7 electors requesting that a satellite absentee voting station  
8 be established at a location to be described on the petition  
9 of the jurisdiction where the requested satellite absentee  
10 voting station is located. However, if a special election  
11 is scheduled in the county on a date that falls between  
12 the date of the regular city election and the date of the  
13 city runoff election, the commissioner is not required to  
14 establish a satellite absentee voting station for the city  
15 runoff election. The petition shall be on a form prescribed  
16 by the state commissioner. The petition form shall include  
17 a space to identify the location of the requested satellite  
18 absentee voting station, the name, address, and telephone  
19 contact information for the person circulating the petition,  
20 and the name or number of the precinct in which the station is  
21 requested to be located. The petition shall also include space  
22 for the petitioner's signature, residential address, including  
23 house number and street, date on which the petition is signed  
24 by the petitioner, and a statement that the petitioners are  
25 residents of the jurisdiction conducting the election for  
26 which the satellite absentee voting station is requested.  
27 The commissioner shall reject signatures on petitions if  
28 any information required pursuant to this paragraph is not  
29 included on the petition. Each petitioner is limited to  
30 signing one satellite absentee voting station petition for  
31 each election. Duplicate signatures on the same or subsequent  
32 satellite absentee voting petitions for a particular election  
33 shall not be counted. The commissioner is only required to  
34 accept one valid petition for each precinct in each election  
35 scheduled for the same date. If more than one petition is



1 filed for establishment of a satellite absentee voting station  
2 in a particular precinct for an election to be held on the  
3 same date, the commissioner shall, at a minimum, honor the  
4 first valid petition received. However, the commissioner  
5 shall accept an additional valid petition if the commissioner  
6 determines that operation of a satellite absentee voting  
7 station will be impracticable at the location described in the  
8 earlier filed valid petition or petitions.

9     Sec. 17. Section 53.11, subsection 1, Code 2011, is amended  
10 by adding the following new paragraph:

11     NEW PARAGRAPH. c. Objections to a petition requesting  
12 establishment of a satellite absentee voting station may be  
13 filed with the commissioner no later than the second day  
14 following the petition filing deadline set forth in subsection  
15 2. When objections are filed, notice shall immediately be  
16 given to the person identified on the petition as the person  
17 circulating the petition. The notice shall be sent to the  
18 address provided on the petition by such person, and the  
19 notice shall include the time and place of the hearing at  
20 which the objections will be considered. The hearing shall  
21 be held not later than one week after the objection is filed.  
22 The objection process in section 44.7 shall be followed for  
23 objections filed pursuant to this section.

24     Sec. 18. Section 260C.15, subsection 3, Code 2011, is  
25 amended to read as follows:

26     3. Nomination papers on behalf of candidates for member of  
27 the board of directors of a merged area shall be filed with  
28 the ~~secretary of the board~~ county commissioner of elections  
29 responsible under section 47.2 for conducting elections held  
30 for the merged area not earlier than sixty-four days nor later  
31 than 5:00 p.m. on the fortieth day prior to the election at  
32 which members of the board are to be elected. ~~On the day~~  
33 ~~following~~ No later than the last day on which nomination  
34 petitions can be filed, and no later than 5:00 p.m. on that  
35 day, the secretary shall deliver ~~all nomination petitions so~~

1 ~~filed, together with~~ the text of any public measure being  
2 submitted by the board of directors to the electorate, to the  
3 county commissioner of elections who is responsible under  
4 section 47.2 for conducting elections held for the merged area.  
5 That commissioner shall certify the names of candidates, and  
6 the text and summary of any public measure being submitted to  
7 the electorate, to all county commissioners of elections in the  
8 merged area by the thirty-fifth day prior to the election.

9 Sec. 19. Section 260C.15, subsection 4, paragraph b, Code  
10 2011, is amended to read as follows:

11 b. The objection must be filed with the ~~secretary of the~~  
12 board county commissioner of elections responsible under  
13 section 47.2 for conducting elections held for the merged area  
14 at least thirty-five days before the day of the election at  
15 which members of the board are elected. When objections are  
16 filed, notice shall immediately be given to the candidate  
17 affected, addressed to the candidate's place of residence as  
18 given on the candidate's affidavit, stating that objections  
19 have been made to the legal sufficiency of the petition or to  
20 the eligibility of the candidate, and also stating the time and  
21 place the objections will be considered. The ~~board secretary~~  
22 county commissioner shall also attempt to notify the candidate  
23 by telephone if the candidate provided a telephone number on  
24 the candidate's affidavit.

25 Sec. 20. Section 260C.15, Code 2011, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 4A. A candidate nominated under this  
28 section may withdraw the candidate's nomination by a written  
29 request filed with the county commissioner of elections  
30 responsible under section 47.2 for conducting elections held  
31 for the merged area at least thirty-five days before the day of  
32 the election at which members of the board are elected.

33 Sec. 21. Section 275.25, subsection 1, paragraph b, Code  
34 2011, is amended to read as follows:

35 b. The election shall be conducted as provided in section

1 277.3, and nomination petitions shall be filed pursuant to  
 2 section 277.4, except as otherwise provided in this subsection.  
 3 Nomination petitions shall be filed with the ~~secretary of the~~  
 4 ~~board of~~ county commissioner of elections responsible under  
 5 section 47.2 for conducting elections held for the existing  
 6 school district in which the candidate resides not less than  
 7 twenty-eight days before the date set for the special school  
 8 election. The ~~secretary of the board~~ commissioner, or the  
 9 ~~secretary's~~ commissioner's designee, shall be present in the  
 10 ~~secretary's~~ commissioner's office until five 5:00 p.m. on the  
 11 final day to file the nomination papers. The nomination papers  
 12 shall be delivered to the commissioner no later than five 5:00  
 13 p.m. on the twenty-seventh day before the election.

14 Sec. 22. Section 277.4, subsections 1, 3, and 4, Code 2011,  
 15 are amended to read as follows:

16 1. Nomination papers for all candidates for election  
 17 to office in each school district shall be filed with the  
 18 ~~secretary of the school board~~ county commissioner of elections  
 19 responsible under section 47.2 for conducting elections held  
 20 for the school district not more than sixty-four days, nor less  
 21 than forty days before the election. Nomination petitions  
 22 shall be filed not later than 5:00 p.m. on the last day for  
 23 filing. ~~If the school board secretary is not readily available~~  
 24 ~~during normal office hours, the secretary may designate a~~  
 25 ~~full-time employee of the school district who is ordinarily~~  
 26 ~~available to accept nomination papers under this section.~~ On  
 27 the final date for filing nomination papers the office of the  
 28 ~~school secretary~~ county commissioner shall remain open until  
 29 5:00 p.m.

30 3. The ~~secretary of the school board~~ county commissioner  
 31 shall accept the petition for filing if on its face it appears  
 32 to have the requisite number of signatures and if it is timely  
 33 filed. The ~~secretary of the school board~~ county commissioner  
 34 shall note upon each petition and affidavit accepted for filing  
 35 the date and time that the petition was filed. The secretary

1 of the school board shall deliver ~~all nomination petitions,~~  
2 ~~together with~~ the complete text of any public measure being  
3 submitted by the board to the electorate, to the county  
4 commissioner of elections ~~on the day following~~ no later than  
5 the last day on which nomination petitions can be filed, and  
6 not later than 5:00 p.m. on that day.

7 4. Any person on whose behalf nomination petitions have been  
8 filed under this section may withdraw as a candidate by filing  
9 a signed statement to that effect with the ~~secretary~~ county  
10 commissioner of elections responsible under section 47.2 for  
11 conducting elections held for the school district at any time  
12 prior to 5:00 p.m. on the thirty-fifth day before the election.

13 Sec. 23. Section 277.5, Code 2011, is amended to read as  
14 follows:

15 **277.5 Objections to nominations.**

16 1. Objections to the legal sufficiency of a nomination  
17 petition or to the eligibility of a candidate may be filed by  
18 any person who would have the right to vote for a candidate for  
19 the office in question. The objection must be filed with the  
20 ~~secretary of the school board~~ county commissioner of elections  
21 responsible under section 47.2 for conducting elections held  
22 for the school district at least thirty-five days before  
23 the day of the school election. When objections are filed  
24 notice shall forthwith be given to the candidate affected,  
25 addressed to the candidate's place of residence as given on the  
26 candidate's affidavit, stating that objections have been made  
27 to the legal sufficiency of the petition or to the eligibility  
28 of the candidate, and also stating the time and place the  
29 objections will be considered.

30 2. Objections shall be considered not later than two working  
31 days following the receipt of the objections by the president  
32 of the school board, the secretary of the school board, and  
33 one additional member of the school board chosen by ballot.  
34 If objections have been filed to the nominations of either of  
35 those school officials, that official shall not pass on the

1 objection. The official's place shall be filled by a member  
2 of the school board against whom no objection exists. The  
3 replacement shall be chosen by ballot.

4 Sec. 24. Section 280.9A, subsection 3, Code 2011, is amended  
5 to read as follows:

6 3. At least twice during each school year, the board of  
7 directors of each local public school district operating a  
8 high school and the authorities in charge of each accredited  
9 nonpublic school operating a high school shall offer the  
10 opportunity to register to vote to each student who is at least  
11 seventeen ~~and one-half~~ years of age, as required by section  
12 48A.23.

13 Sec. 25. Section 372.13, subsection 2, paragraph a, Code  
14 2011, is amended to read as follows:

15 a. (1) By appointment by the remaining members of the  
16 council, except that if the remaining members do not constitute  
17 a quorum of the full membership, paragraph "b" shall be  
18 followed. The appointment shall be made within forty days  
19 after the vacancy occurs and shall be for the period until the  
20 next pending election as defined in section 69.12, and shall  
21 be made within forty days after the vacancy occurs general  
22 election for a city described in section 39.3, subsection 7, or  
23 the regular city election described in section 376.1, unless  
24 there is an intervening special election to fill a vacancy  
25 in another elective city office in that city, in which event  
26 the election for the office shall be placed on the ballot  
27 at such special election. If the council fails to make an  
28 appointment within forty days as required by this subsection,  
29 the city clerk shall give notice of the vacancy to the county  
30 commissioner and the county commissioner shall call a special  
31 election to fill the vacancy at the earliest practicable date  
32 but no fewer than thirty-two days after the notice is received  
33 by the county commissioner.

34 (2) If the council chooses to proceed under this paragraph,  
35 it shall publish notice in the manner prescribed by section

1 362.3, stating that the council intends to fill the vacancy  
2 by appointment but that the electors of the city or ward, as  
3 the case may be, have the right to file a petition requiring  
4 that the vacancy be filled by a special election. The council  
5 may publish notice in advance if an elected official submits  
6 a resignation to take effect at a future date. The council  
7 may make an appointment to fill the vacancy after the notice  
8 is published or after the vacancy occurs, whichever is later.  
9 However, if within fourteen days after publication of the  
10 notice or within fourteen days after the appointment is made,  
11 there is filed with the city clerk a petition which requests a  
12 special election to fill the vacancy, an appointment to fill  
13 the vacancy is temporary and the council shall call a special  
14 election to fill the vacancy permanently, under paragraph "b".  
15 The number of signatures of eligible electors of a city for a  
16 valid petition shall be determined as follows:

17 ~~{1}~~ (a) For a city with a population of ten thousand or  
18 less, at least two hundred signatures or at least the number of  
19 signatures equal to fifteen percent of the voters who voted for  
20 candidates for the office at the preceding regular election at  
21 which the office was on the ballot, whichever number is fewer.

22 ~~{2}~~ (b) For a city with a population of more than ten  
23 thousand but not more than fifty thousand, at least one  
24 thousand signatures or at least the number of signatures equal  
25 to fifteen percent of the voters who voted for candidates for  
26 the office at the preceding regular election at which the  
27 office was on the ballot, whichever number is fewer.

28 ~~{3}~~ (c) For a city with a population of more than fifty  
29 thousand, at least two thousand signatures or at least the  
30 number of signatures equal to ten percent of the voters who  
31 voted for candidates for the office at the preceding regular  
32 election at which the office was on the ballot, whichever  
33 number is fewer.

34 ~~{4}~~ (d) The minimum number of signatures for a valid  
35 petition pursuant to subparagraphs (1) through (3) shall not

1 be fewer than ten. In determining the minimum number of  
2 signatures required, if at the last preceding election more  
3 than one position was to be filled for the office in which the  
4 vacancy exists, the number of voters who voted for candidates  
5 for the office shall be determined by dividing the total number  
6 of votes cast for the office by the number of seats to be  
7 filled.

8 Sec. 26. Section 376.1, Code 2011, is amended to read as  
9 follows:

10 **376.1 City election held — absentee ballot elections**  
11 **authorized.**

12 1. A city shall hold a regular city election on the first  
13 Tuesday after the first Monday in November of each odd-numbered  
14 year. A city shall hold regular, special, primary, or runoff  
15 city elections as provided by state law.

16 2. The mayor or council shall give notice of any special  
17 election to the county commissioner of elections. The county  
18 commissioner of elections shall publish notice of any city  
19 election and conduct the election pursuant to the provisions of  
20 chapters 39 to 53, except as otherwise specifically provided  
21 in chapters 362 to 392. The results of any election shall be  
22 canvassed by the county board of supervisors and certified  
23 by the county commissioner of elections to the mayor and the  
24 council of the city for which the election is held.

25 3. a. The council of a city with a population of two  
26 hundred or less according to the most recent federal decennial  
27 census may adopt an ordinance providing that elections be  
28 conducted by absentee ballot. If the city council adopts  
29 such an ordinance, the clerk shall notify the commissioner  
30 of elections of the adoption of the ordinance, and the  
31 commissioner shall mail an absentee ballot application form  
32 by forwardable mail to each registered voter within the city  
33 who is on active status pursuant to section 48A.37 no fewer  
34 than twenty-five days before each regular city election or  
35 special election for the city. The commissioner shall also

1 enclose a postage paid return envelope and a notice in the form  
2 prescribed by the state commissioner informing the voter that  
3 voting in person on election day will also be available at the  
4 commissioner's office during the time the polls are open. The  
5 commissioner may designate one additional election day polling  
6 site for a city that adopts an ordinance pursuant to this  
7 subsection. The location of the additional polling site shall  
8 be included in the notice to the voter.

9 b. The provisions of chapter 53, insofar as applicable,  
10 shall apply to absentee ballot elections authorized under this  
11 section.

12 Sec. 27. Section 376.4, subsection 1, paragraph a, Code  
13 2011, is amended to read as follows:

14 a. An eligible elector of a city may become a candidate  
15 for an elective city office by filing with the ~~city clerk~~  
16 county commissioner of elections responsible under section 47.2  
17 for conducting elections held for the city a valid petition  
18 requesting that the elector's name be placed on the ballot  
19 for that office. The petition must be filed not more than  
20 seventy-one days and not less than forty-seven days before the  
21 date of the election, and must be signed by eligible electors  
22 equal in number to at least two percent of those who voted to  
23 fill the same office at the last regular city election, but not  
24 less than ten persons. However, for those cities which may be  
25 required to hold a primary election, the petition must be filed  
26 not more than eighty-five days and not less than sixty-eight  
27 days before the date of the regular city election. Nomination  
28 petitions shall be filed not later than 5:00 p.m. on the last  
29 day for filing.

30 Sec. 28. Section 376.4, subsections 3, 4, and 5, Code 2011,  
31 are amended to read as follows:

32 ~~3. If the city clerk is not readily available during normal~~  
33 ~~office hours, the city clerk shall designate other employees or~~  
34 ~~officials of the city who are ordinarily available to accept~~  
35 ~~nomination papers under this section. On the final date for~~



1 filing nomination papers the office of the ~~city clerk~~ county  
2 commissioner shall remain open until 5:00 p.m.

3 4. The ~~city clerk~~ county commissioner shall review each  
4 petition and affidavit of candidacy for completeness following  
5 the standards in section 45.5 and shall accept the petition  
6 for filing if on its face it appears to have the requisite  
7 number of signatures and if it is timely filed. The ~~city~~  
8 ~~clerk~~ county commissioner shall note upon each petition and  
9 affidavit accepted for filing the date and time that they were  
10 filed. The ~~clerk~~ county commissioner shall return any rejected  
11 nomination papers to the person on whose behalf the nomination  
12 papers were filed.

13 5. Nomination papers filed with the ~~city clerk~~ county  
14 commissioner shall be available for public inspection.

15 6. The city clerk shall deliver ~~all nomination papers~~  
16 ~~together with~~ the text of any public measure being submitted by  
17 the city council to the electorate to the county commissioner  
18 of elections ~~on the day following~~ no later than the last day  
19 on which nomination petitions can be filed, and not later than  
20 5:00 p.m. on that day.

21 Sec. 29. Section 602.8102, subsection 15, Code 2011, is  
22 amended to read as follows:

23 15. Monthly, notify the county commissioner of registration  
24 and the state registrar of voters of persons seventeen ~~and~~  
25 ~~one-half~~ years of age and older who have been convicted of a  
26 felony during the preceding calendar month or persons who at  
27 any time during the preceding calendar month have been legally  
28 declared to be a person who is incompetent to vote as that term  
29 is defined in section 48A.2.

30 Sec. 30. REPEAL. Section 53.14, Code 2011, is repealed.

31 Sec. 31. EFFECTIVE DATE. The following provision or  
32 provisions of this Act take effect January 1, 2014:

33 1. The section of this Act amending section 48A.5,  
34 subsection 2.

35 2. The section of this Act amending section 48A.14,

1 subsection 1.

2 3. The section of this Act amending section 48A.23,  
3 subsection 1.

4 4. The section of this Act amending section 48A.26,  
5 subsection 9.

6 5. The section of this Act amending section 48A.31.

7 6. The section of this Act amending section 280.9A,  
8 subsection 3.

9 7. The section of this Act amending section 602.8102,  
10 subsection 15.

11 EXPLANATION

12 This bill relates to the policy administration of the  
13 election and voter registration laws by the secretary of state.

14 The bill amends the definition of "general election" to  
15 include certain regular city elections, where applicable.

16 The bill requires that the county commissioner of  
17 registration accept completed voter registration forms from  
18 registrants who are at least 17 years of age. Current law  
19 requires the county commissioner of registration to accept such  
20 forms from registrants who are at least 17 and one-half years  
21 of age. These provisions of the bill take effect January 1,  
22 2014.

23 The bill requires that any authority supported by taxation  
24 under the laws of Iowa make space available for the training of  
25 precinct election officials and other election personnel upon  
26 the applications of the county commissioner of elections. The  
27 bill requires that such courses not interfere with previously  
28 scheduled events.

29 The bill provides that the county commissioner of elections  
30 shall not mail an absentee ballot to an applicant no sooner  
31 than 50 days before any election for ballots mailed to a  
32 location in the United States. The bill removes language which  
33 requires a voter's party affiliation be designated in the voter  
34 affidavit on the unsealed affidavit envelope if the enclosed  
35 ballot is a primary election ballot. The bill specifies that

1 absentee ballots shall be made available for voting in person  
2 at the commissioner's office not more than 40 days before an  
3 election.

4 The bill further provides that satellite absentee voting  
5 stations shall not be established sooner than 40 days before  
6 an election. The bill requires that a petition for the  
7 establishment of a satellite absentee voting station be on a  
8 form prescribed by the state commissioner of elections, and  
9 as provided in the bill. The bill provides that a county  
10 commissioner of elections is only required to accept one  
11 valid petition for each precinct in each election. The bill  
12 requires at a minimum that the county commissioner honor  
13 the first valid petition for a satellite absentee voting  
14 station if more than one petition is filed for a station in  
15 the same precinct for the same election. The bill requires  
16 that the commissioner accept an additional valid petition if  
17 the commissioner determines that operation of such a voting  
18 station to be impracticable at the location described in the  
19 earlier filed petition. Any objection to a petition requesting  
20 a satellite absentee voting station shall be filed with the  
21 county commissioner no later than two days following the  
22 petition filing deadline. The county commissioner is required  
23 to provide notice to the person circulating the petition upon  
24 the filing of such an objection.

25 The bill requires that nomination papers of candidates for  
26 member of the board of directors of a merged area, objections  
27 to such nominations, and withdrawals of such nominations be  
28 filed with the county commissioner of elections responsible  
29 for conducting elections for the merged area, rather than  
30 with the secretary of the board. The bill also requires the  
31 county commissioner, rather than the secretary of the board, to  
32 attempt to notify the candidate by telephone if an objection  
33 is filed if the candidate provided a telephone number. The  
34 bill also provides that the text of any public measure relating  
35 to the merged area be delivered by the secretary of the board

1 to the county commissioner no later than the last day on which  
2 nomination petitions can be filed.

3 The bill requires that nomination papers of candidates  
4 for a school district elected office, and withdrawals of  
5 such nominations, be filed with the county commissioner of  
6 elections responsible for conducting elections for the school  
7 district. Current law requires that such nomination papers and  
8 withdrawals be filed with the secretary of the school board.

9 The bill requires that if a vacancy in an elective city  
10 office is filled by appointment of the remaining members of the  
11 city council, that such appointment be made within 40 days of  
12 the vacancy's occurrence for the period until the next general  
13 election for a city as described in the bill or the next  
14 regular city election, as defined in statute. If, however,  
15 there is an intervening special election to fill a vacancy in  
16 another elective city office, then the election for the office  
17 shall be placed on the ballot at the special election. The  
18 bill requires the city clerk to notify the county commissioner  
19 of elections if the council fails to make such an appointment  
20 within the required 40 days. Upon receipt of such notice, the  
21 county commissioner of elections shall call a special election  
22 to fill the vacancy at the earliest practicable date, but no  
23 sooner than 32 days after receiving such notice.

24 The bill further requires that nomination papers for  
25 elective city office be filed with the county commissioner of  
26 elections responsible for conducting elections for the city.

27 The bill allows cities with populations of 200 or less to  
28 adopt an ordinance providing that city elections be conducted  
29 by absentee ballot. The bill requires the county commissioner  
30 of elections responsible for such a city to mail an absentee  
31 ballot application form by forwardable mail to each active  
32 status registered voter within the city no fewer than 25 days  
33 before each regular city election or special election for  
34 that city. The bill requires that the county commissioner  
35 of elections also enclose a postage paid return envelope and

1 a notice that in-person voting will also be available at the  
2 county commissioner's office on the day of the election and, if  
3 applicable, the location of the additional polling site. The  
4 bill allows the county commissioner to designate one additional  
5 election day polling site for such cities.